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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/753,894	01/08/2004	Laurence W. Bassett	CUNO-170.3	8174

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EXAMINER

SAVAGE, MATTHEW O

ART UNIT	PAPER NUMBER
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1724

DATE MAILED: 01/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/753,894

Applicant(s)

BASSETT ET AL.

Examiner

Matthew O Savage

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 43-64 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 43-64 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 4-30-04.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 43-46, 48, 51-57, 59, and 62-64 are rejected under 35 U.S.C. 102(b) as being anticipated by Stanford et al.

With respect to claim 43, Stanford et al disclose a body portion 21 for enclosing filter media for filtering a fluid, a neck portion including an inlet port 27 for directing unfiltered fluid into the body portion and an outlet port 28 for directing filtered fluid out of the body portion, the neck portion having at least two lugs 24 depending radially outwardly therefrom, each lug having surfaces capable of engaging which face away from the body portion, at least one of said engagement surfaces defining a keyed surface formation which enables the cartridge to mate with a compatible reception assembly (e.g., an axially directed flat keyed surface formation, or a radially facing convex keyed surface formation).

Concerning claim 44, Stanford et al disclose each lug 24 as having an inclined cam surface 60 axially spaced from the body portion and facing toward the body portion in a generally axial direction capable of cooperating with camming ramps on the compatible reception assembly.

As to claim 45, Stanford et al disclose each lug 24 as having an engagement surface defining a keyed surface formation (e.g., a flat or convex keyed surface formation).

Regarding claim 46, Stanford et al disclose the keyed surface formation on each lug of the cartridge is substantially similar.

Concerning claim 48, Stanford et al disclose the neck portion as having a pair of diametrically opposed lugs 24.

As to claim 51, Stanford et al include a keyed surface formation on an axially facing engagement surface of the lug (e.g., a flat keyed surface).

Regarding claim 52, Stanford et al include a keyed surface formation on a radially facing engagement surface of the lug (e.g., the convex surface of the lug).

Concerning claim 53, Stanford et al disclose a first portion of the keyed surface on an axially facing engagement surface of the lug (e.g., the entire flat surface) and a second portion of the keyed surface formation as being on a radially facing engagement surface of the lug (e.g., the entire curved surface of the lug).

With respect to claim 54, Stanford et al disclose a body portion 21 for enclosing filter media for filtering a fluid, a neck portion including an inlet port 27 for directing unfiltered fluid into the body portion and an outlet port 28 for directing filtered fluid out of the body portion, the neck portion having at least two lugs 24 depending radially outwardly therefrom, each lug having radial and axial surfaces capable of engaging which face away from the body portion, at least one of said engagement surfaces defining a keyed surface formation which enables the cartridge to mate with a compatible reception assembly (e.g., an axially directed flat keyed surface formation, or a radially facing convex keyed surface formation).

Concerning claim 55, Stanford et al disclose each lug 24 as having an inclined cam surface 60 axially spaced from the body portion and facing toward the body portion in a generally axial direction capable of cooperating with camming ramps on the compatible reception assembly.

As to claim 56, Stanford et al disclose each lug 24 as having an engagement surface defining a keyed surface formation (e.g., a flat keyed surface formation).

Regarding claim 57, Stanford et al disclose the keyed surface formation on each lug of the cartridge is substantially similar.

Concerning claim 59, Stanford et al disclose the neck portion as having a pair of diametrically opposed lugs 24.

As to claim 62, Stanford et al include a keyed surface formation on an axially facing engagement surface of the lug (e.g., a flat keyed surface).

Regarding claim 63, Stanford et al include a keyed surface formation on a radially facing engagement surface of the lug (e.g., the convex surface of the lug).

Concerning claim 64, Stanford et al disclose a first portion of the keyed surface on an axially facing engagement surface of the lug (e.g., the entire flat surface) and a second portion of the keyed surface formation as being on a radially facing engagement surface of the lug (e.g., the entire curved surface of the lug).

Claims 43, 45-49, 51-54, 56-60, and 62-64 are rejected under 35 U.S.C. 102(b) as being anticipated by Janik '829.

With respect to claim 43, Janik disclose a body portion 14 for enclosing filter media for filtering a fluid, a neck portion 82 including an inlet port (e.g., defined by the lower grommet shown in FIG. 2) for directing unfiltered fluid into the body portion and an outlet port (e.g., defined by the upper grommet 98) for directing filtered fluid out of the body portion, the neck portion having at least two lugs 100 depending radially outwardly therefrom, each lug having surfaces capable of engaging which face away from the body portion, at least one of said engagement surfaces defining a keyed surface formation which enables the cartridge to mate with a compatible reception assembly (e.g., an axially directed flat keyed surface formation, or a radially facing convex keyed surface formation).

As to claim 45, Janik disclose each lug 100 as having an engagement surface defining a keyed surface formation (e.g., a flat or convex keyed surface formation).

Regarding claim 46, Janik disclose the keyed surface formation on each lug of the cartridge is substantially similar (e.g., since the lugs can be uniformly dimensioned, see lines 55-56 of col. 5).

Regarding claim 47, Janik disclose the keyed surface formation on each lug of the cartridge as being different (e.g., since the lugs can be non-uniformly dimensioned, see line 56 of col. 5).

Concerning claim 48, Janik disclose the neck portion as having a pair of diametrically opposed lugs 100a, 100d (see FIG. 3).

As to claim 49, Janik disclose three circumferentially spaced apart lugs 100a, 100c, 100e).

As to claim 51, Janik include a keyed surface formation on an axially facing engagement surface of the lug (e.g., a flat keyed surface).

Regarding claim 52, Janik include a keyed surface formation on a radially facing engagement surface of the lug (e.g., the convex surface of the lug).

Concerning claim 53, Janik disclose a first portion of the keyed surface on an axially facing engagement surface of the lug (e.g., the entire flat surface) and a second portion of the keyed surface formation as being on a radially facing engagement surface of the lug (e.g., the entire curved surface of the lug).

With respect to claim 54, Janik disclose a body portion 14 for enclosing filter media for filtering a fluid, a neck portion 82 including an inlet port (e.g., defined by the lower grommet) for directing unfiltered fluid into the body portion and an outlet port (e.g., defined by the upper grommet) for directing filtered fluid out of the body portion, the neck portion having at least two lugs 100 depending radially outwardly therefrom, each lug having radial and axial surfaces capable of engaging which face away from the body portion, at least one of said engagement surfaces defining a keyed surface formation which enables the cartridge to mate with a compatible reception assembly (e.g., an axially directed flat keyed surface formation, or a radially facing convex keyed surface formation).

As to claim 56, Janik disclose each lug 100 as having an engagement surface defining a keyed surface formation (e.g., a flat or convex keyed surface formation).

Regarding claim 57, Janik disclose the keyed surface formation on each lug of the cartridge is substantially similar (e.g., since the lugs can be uniformly dimensioned, see lines 55-56 of col. 5).

Regarding claim 58, Janik disclose the keyed surface formation on each lug of the cartridge as being different (e.g., since the lugs can be non-uniformly dimensioned, see line 56 of col. 5).

Concerning claim 59, Janik disclose the neck portion as having a pair of diametrically opposed lugs 100a, 100d (see FIG. 3).

As to claim 60, Janik disclose three circumferentially spaced apart lugs 100a, 100c, 100e).

As to claim 62, Janik include a keyed surface formation on an axially facing engagement surface of the lug (e.g., a flat keyed surface).

Regarding claim 63, Janik include a keyed surface formation on a radially facing engagement surface of the lug (e.g., the convex surface of the lug).

Concerning claim 64, Janik disclose a first portion of the keyed surface on an axially facing engagement surface of the lug (e.g., the entire flat surface) and a second portion of the keyed surface formation as being on a radially facing engagement surface of the lug (e.g., the entire curved surface of the lug).

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 49 and 60 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stanford et al in view of Groezinger et al.

With respect to claims 49 and 60, Stanford et al fail to specify the neck portion as having three circumferentially spaced apart lugs, however, Groezinger et al disclose just such an arrangement (see FIGS. 1 and 2 and the lugs 42). Groezinger et al suggest that such an arrangement increases the strength and stability of the connection between the filter and a reception assembly. It would have been obvious to have modified the apparatus of Stanford et al so as to have included the three lug arrangement as suggested by Groezinger et al in order to increase the stability and strength of the connection between the filter and reception assembly.

Claims 50 and 61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Janik '829.

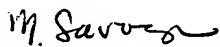
With respect to claims 50 and 61, Janik discloses the neck portion including a first pair of diametrically opposed lugs 100a, 100d, and a second pair of diametrically opposed lugs 100c, 100f, and the concept of the lugs 100 being at different heights on the neck portion since they can have different axial positions (see line 66 of col. 5). Janik fails to specify the first pair of lugs as being disposed at a first height and the second pair of lugs as being disposed at a second height, however, such a modification is considered nothing more than one of numerous lug arrangements that one skilled in the art would have found obvious in order to provide a lug arrangement that was unique

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to a particular reception assembly since Janik discloses arranging the lugs at various heights corresponding to tracks of a particular reception assembly.

A combination of claims 43 and 44 or 54 and 55 including keyed surface formation in the form of teeth extending axially from remaining portions of the engagement surfaces relative to the neck would be allowable over the art of record.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew O Savage whose telephone number is (571) 272-1146. The examiner can normally be reached on Monday-Friday, 7:00am-3:30pm.


Matthew O Savage
Primary Examiner
Art Unit 1724

mos
January 13, 2005